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**HEWLETT-PACKARD COMPANY** Intellectual Property Administration P.O. Box 272400 Fort Collins, Colorado 80527-2400

OCT 1:2 2007

PATENT APPLICATION

ATTORNEY DOCKET NO.

100110363-1

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

Pleter J. van Zee Inventor(s):

Confirmation No.: 1586

Application No.: 10/080,971

Examiner: Hanh B. Thai

Filing Date:

February 21, 2002

2163 Group Art Unit:

Title: AUTOMATICALLY PROCESSING DIGITAL ASSETS OF A DIGITAL CAMERA

Mail Stop Appeal Brief-Patents Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

| Transmitted herewith is t               | the Appeal Brief in          | this application wil | th respect to | the Notice of       | Appeal filed o | n August 1          | 4, 2007   |
|---|------------------------------|----------------------|---------------|---------------------|----------------|---------------------|-----------|
| The fee for filing this                 | Appeal Brief is \$5          | 10.00 (37 CFR 41.    | 20).          |                     |                |                     |           |
| No Additional Fee R                     | lequired.                    | (complete (a) or     | (b) as applic | able)               |                |                     | •         |
| The proceedings herein                  | are for a patent ap          | oplication and the p | provisions of | 37 CFR 1.136        | (a) apply.     |                     |           |
| (a) Applicant petition months checked b | s for an extension<br>pelow: | of time under 37     | CFR 1.136     | (fees: 37 CFF       | ₹ 1.17(a)-(d)) | for the total       | number of |
|   | t Month<br>\$120             | 2nd Month<br>\$460   |               | 3rd Month<br>\$1050 | . 🗆            | 4th Month<br>\$1640 |           |

TRANSMITTAL OF APPEAL BRIEF

The extension fee has already been filed in this application. [X] (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

\$ 510\_\_\_. At any time during the pendency of this application, Please charge to Deposit Account 08-2025 the sum of please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

X A duplicate copy of this transmittal letter is enclosed.

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Date of facsimile: 10/12/2007

Typed Name:

Respectfully submitted

Pieter J. van Zee

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Petar Kraguljac

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Reg No.:

38,520

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10/12/2007

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Rev 10/07(ApiBrief)

### RECEIVED **CENTRAL FAX CENTER**

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2163

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Mail Stop Appeal Brief-Patents **Commissioner For Patents** PO Box 1450

| Alexandria, VA 2231   | 13-1450                         |                       |                                |                                       |  |  |  |
|---|---------------------------------|-----------------------|--------------------------------|---------------------------------------|--|--|--|
|   |                                 | TRANSMITTAL OF        | APPEAL BRIEF                   |                                       |  |  |  |
| Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on August 14, 2007  |                                 |                       |                                |                                       |  |  |  |
| X The fee for filing to   | this Appeal Brief is \$         | 510.00 (37 CFR 41.20  | 0).                            |                                       |  |  |  |
| ☐ No Additional Fe  | e Required.                     |                       |                                |                                       |  |  |  |
|   |                                 | . (complete (a) or (b | • • •                          |                                       |  |  |  |
| The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.  |                                 |                       |                                |                                       |  |  |  |
| (a) Applicant peli<br>months check  | tions for an extensioned below: | n of time under 37 C  | CFR 1.136 (fees: 37 CFF        | R 1.17(a)-(d)) for the total number o |  |  |  |
|   | 154 Month<br>\$120              | 2nd Month<br>\$460    | 3rd Month<br>\$1050            | 4th Month \$1640                      |  |  |  |
| <ul> <li>☐ The extension fee has already been filed in this application.</li> <li>☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.</li> <li>Please charge to Deposit Account 08-2025 the sum of \$510 At any time during the pendency of this application please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.2 Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.</li> <li>☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:         Commissioner for Patents, Alexandria, VA 22313-1450</li> </ul> |                                 |                       |                                |                                       |  |  |  |
| Date of Deposi  | or                              | •                     | Peter Kragulja                 | ·                                     |  |  |  |
| I hereby certify that this paper is being transmitted to<br>the Patent and Trademark Office facsimile number<br>(571)273-8300.  |                                 | ing transmitted to    | Attomey/Agent for Applicant(s) |                                       |  |  |  |
|   |                                 | Iacsiffile number     | Reg No. :                      | 38,520                                |  |  |  |
| Date of facsim  | ille: 10/12/2007                |                       | Date :                         | 10/12/2007                            |  |  |  |
| Typed Name:<br>Signature:   | Doreen Zabinski                 | justi_                | Telephone:                     | (216) 348-5843                        |  |  |  |
|   | •                               |                       | •                              |                                       |  |  |  |

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OCT 1 2 2007

**PATENT** 

| IN THE UNITED STATES   | PATENT AND TRADEMARK OFFICE               |  |  |  |  |  |
|--|---|--|--|--|--|--|
| In re application of:  | ) Examiner: Hanh B. Thai                  |  |  |  |  |  |
| Pieter J. van Zee  | ) Art Unit: 2163                          |  |  |  |  |  |
| Serial No.: 10/080,971   | )   |  |  |  |  |  |
| Filed: February 21, 2002   |   |  |  |  |  |  |
| For: AUTOMATICALLY PROCESSING DIGITAL ASSETS OF A DIGITAL CAMER  | )<br>A)                                   |  |  |  |  |  |
| Date of Last Office Action:<br>May 15, 2007  | ) Attorney Docket No.:<br>) 100110363-1   |  |  |  |  |  |
| Notice of Appeal Filed:<br>August 14, 2007   | )   |  |  |  |  |  |
| October 12, 2007   | 10/15/2007 PCHOMP 00000007 082025 1008097 |  |  |  |  |  |
| APP  | EAL BRIEF                                 |  |  |  |  |  |
| Mail Stop Appeal Brief – Patents<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |   |  |  |  |  |  |
| Dear Sir:  |   |  |  |  |  |  |

This Appeal Brief is timely provided to support the Notice of Appeal filed August 14,

CERTIFICATE OF FACSIMILE

Date of Deposit: October 12, 2007

2007.

I hereby certify that these papers are being transmitted to The United States Patent and Trademark Office facsimile number (571) 273-8300 on October 12, 2007.

Doreco Zabinski

### 1. Real Party in Interest:

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

### 2. Related Appeals and Interferences

There are no other prior and/or pending appeals, interferences, or judicial proceedings that are related to, directly affect, or that will be directly affected by or have a bearing on the Board's decision.

### 3. Status of Claims

Claims 1 - 49 are pending for examination.

Claims 1 - 49 stand rejected.

The rejections of claims 1 - 49 are appealed.

### 4. Status of Amendments

No Amendments were filed subsequent to final rejection.

### Summary of Claimed Subject Matter

### Independent Claim 1

Claim 1 recites a method for automatically processing digital image assets of a digital camera (specification page 4 paragraph [00011]) that comprises receiving a set of assets and metadata from a digital camera that have been organized by the digital camera into a camera asset organization structure (specification page 3, paragraph [0009] lines 1-10; Figure 1). Claim 1 further recites automatically identifying a selected restructuring scheme from a plurality of restructuring schemes to use for processing the camera asset organization structure of the set of assets and metadata (specification page 3, paragraph [0009] lines 1-10; Figure 1, block 102).

Claim 1 also recites processing the set of assets and metadata using the selected restructuring scheme to convert the camera asset organization structure into a selected organization structure. (Figure 1, block 104, specification page 5, paragraph [0013] lines 1-6).

#### Dependent Claim 2

Claim 2 depends from claim 1 and recites that the automatically identifying the selected restructuring scheme comprises comparing the set of assets and metadata with a predetermined set of characterizations of assets and metadata to determine whether a match is present (specification, page 3, paragraph [0009] lines 10-13). Claim 2 further recites that the camera asset organization structure is a file system and the digital image assets comprise one or more files (specification, page 2, lines 3-7; page 5, paragraph [0014] lines 1-3).

## Independent Claim 12

Claim 12 recites an asset normalizing method for processing a collection of digital image assets of a digital camera where the collection of digital image assets are organized according to an asset organization scheme generated by the digital camera. Asset

normalization is described for example in the specification, page 4, paragraph [0012] line 1 to page 5, line 7). Claim 12 recites automatically matching the asset organization scheme of the digital camera to a selected asset normalizer of a predetermined set of asset normalizers (specification page 10, paragraph [0028] lines 1-6, and Figure 2, block 202).

Claim 12 further recites processing the collection of digital image assets of the digital camera into a selected standard organization structure in accordance with the selected asset normalizer (specification page 10, paragraph [0028] lines 6-10, and Figure 2, block 204).

### Independent Claim 22

Claim 22 is directed to a digital camera system (Figure 3, camera system 300) for processing a camera-specific file system organization scheme of digital image assets into a non-camera specific file system organization format (specification, page 11, paragraph [0030] lines 1-11). Claim 22 recites that the digital camera system comprises a comparison component for automatically matching the camera-specific file system organization scheme of the digital camera to a selected asset organization normalizer of a predetermined set of asset organization normalizers (specification, page 11, paragraph [0030] lines 4-8, and Figure 3, comparison component 302). The set of asset organization normalizers is described in specification, page 7, [0018], lines 1-6.

Claim 22 also recites an asset-processing component, coupled to the comparison component, for organizing the digital image assets of the digital camera into a non-camera specific file system organization format in accordance with the selected asset normalizer to allow the digital image assets to be processed by a variety of devices. (see specification, page 11, paragraph [0030] lines 8-11, and Figure 3, asset processing component 304).

### Independent Claim 36

Claim 36 is a computer-readable medium claim that corresponds to independent claim 12.

Claim 36 recites a computer-readable medium (specification page 12, paragraph [0035] lines 1-2, and Figure 4, medium 400) containing instructions for processing a collection of digital image assets from a digital camera that are organized in a first organization format based on an asset organization scheme into a second organization format. Claim 36 recites automatically matching the asset organization scheme of the digital camera to a selected asset organization normalizer of a predetermined set of asset organization normalizers that is capable of processing the asset organization scheme (specification page 10, paragraph [0028] lines 1-6, and Figure 2, block 202; and page 13, lines 1-5).

Claim 36 further recites processing the collection of assets of the digital camera into the second organization format in accordance with the selected asset organization normalizer (specification page 10, paragraph [0028] lines 6-10, and Figure 2, block 204; and page 13, lines 5-9).

# Grounds of Rejection to be Reviewed on Appeal

- I. Whether Claims 1-11 are unpatentable under 35 U.S.C. §103(a) as being obvious over Parulski et al. (US 6,567,119 B1) in view of Kain, III et al. (US 6,119,118).
- II. Whether Claims 12-14, 15-33, 36-39 and 40-47 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kain, III et al. (US 6,119,118) in view of Hossain et al. (US Pub. 2003/0059199 A1).
- III. Whether Claims 34-35 and 48-49 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kain, III et al. (US 6,119,118) in view of Hossain et al. (US Pub. 2003/0059199 Al) and further in view of Calia (US 5,450,504).

### Argument

As a brief summary, the claims describe a digital camera and methods for reorganizing a set of files from one organization (e.g., a first file system organization) to another organization (e.g., a different file system organization). For example, a camera may arrange files in a file system native to the camera (e.g., Design Rule For Camera File System (CDF), JEIDA 1999.1.7) while a computer to which the files are downloaded may arrange the files in a file system native to the computer (e.g., Windows File System) (see specification paragraph [0002]). The claims describe how this reorganizing can be automated. As will be described below, after the operation of the references, the internal data format of a file is changed, which has no bearing on how groups of files are organized to address file system issues. Thus, no arrangement for a file system is performed or even discussed by the references.

In general, the references describe reformatting the content of a file from one data format (e.g., FlashPix) to another data format (e.g., JPEG). If a set of files is downloaded from a camera, the references do not describe changing how the group of files is organized. That is, the references do not address the file system. Rather, the references describe changing how the internal content of each individual file is formatted and are not concerned with the overall organization of the group of files.

This can be analogized by the following example: consider a group of cars where each car includes a 4-cylinder engine or a 6-cylinder engine. A car represents an image file and the internal engine represents the internal content within the image file. Just like an engine has different types (e.g. 4 or 6 cylinder), the content of the image file can have different types (e.g. JPEG format, or FlashPix format). As will described in more detail below, the references discuss changing the format of the internal content of image files just like changing the engine in a car from a 4-cylinder to a 6-cylinder engine. The present claims, however, are directed to how the group of cars is organized together (e.g. parking the cars in a different scheme). For example, if the cars are organized in an end-to-end structure, they can be reorganized into a side-by-side structure.

Thus when reading the claims, one of ordinary skill in the art understands the technological difference between changing the format of the content of an image file, which is at an internal level, and changing how the files are organized together in different organization schemes, which is at a file system level. In fact, these are two different technical fields that use very different processes, have different system considerations, and use different data conversion functions. The claims must be examined with this understanding.

File systems and their reorganization are described in several places in the application. For example, paragraph [0002] reads "modern digital cameras utilize a file system that is similar to the standard Design Rule For Camera File System (DCF), JEIDA 1999.1.7." Similarly, paragraph [0010] reads "assets are made accessible by the operating system of the device in the form of a file system in which the captured assets and metadata are organized in a camera-specific collection of files and directories." Likewise, paragraph [0013] reads "the output of the asset normalization process may be ... a restructured set of files and directories." Thus when the claims are read in light of the specification, the claims clearly refer to file systems.

I. Whether Claims 1-11 are unpatentable under 35 U.S.C. §103(a) as being obvious over Parulski et al. (US 6,567,119 B1) in view of Kain, III et al. (US 6,119,118).

### Independent Claim 1

Keep in mind the technical difference of the car analogy presented previously where changing the internal engine of a car has no relationship to changing the organization structure of a group of cars. Parulski and Kain discuss techniques that associate with changing the internal engine and have no relation to the process of claim 1.

Parulski is directed to processing raw camera data into final output data in a single, integrated process to provide improved image quality when printing. (Abstract) This

includes converting image data from a first data format like FlashPix to a second data format like JPEG (see column 3, lines 14-19). Thus, Parulski concerns changing the internal data format of an individual file and does not concern changing how a file system structure is organized. Claim 1 deals with asset organization schemes for collections of files and related metadata. The claim describes how a collection of files can be received from a digital camera and then be reorganized from the organization produced by the camera into a different organization. Note that the file organization is changed without changing the internal file format. Parulski is not directed to the same problem and thus does not disclose the features of the claimed invention.

The claims must be read in light of and consistent with the specification (MPEP 2111). The specification describes assets as "pictures, movies, audio, metadata and the like..." (specification paragraph [0002]). These assets are described as being organized, for example, into a file system. Claim 1 recites that the set of assets are processed using a selected restructuring scheme to reorganize them into a selected organization structure (e.g., second file system). One of ordinary skill in the art would understand that the claim relates to processing a set of files (e.g., pictures, movies, audio) that are organized in one organization structure (e.g. file system, group of files, directories, group of directories) into a different organization structure.

Conversely, Parulski describes in col. 5, line 63 to col. 6, line 32, a file format extension step. This step includes storing 12-bit compressed CFA data in a FlashPix file along with tile image data. This is accomplished by adding an extension property set to the FlashPix file. The extension property set can store data and metadata. Thus, Parulski describes how individual FlashPix files can be modified. However, Parulski is silent about how a set of files and associated metadata can be restructured from a first organization to another organization. Paluski is not concerned with the claimed restructuring schemes or organization structures and fails to support the rejection.

Claim 1 does not concern converting image data from one format to another format. As cited by the Office Action, Parulski describes in col. 5, lines 46-62 how image data can be converted from one format to another format. Appellant previously amended the claim

language to remove this type of interpretation with the claim language of "asset organization structure" and "organization scheme." This more clearly defines that it is the organization of the assets (e.g., file system organization) that is processed and not the data format that makes the content of an image (e.g. JPEG, bitmap, FlashPix). This distinction is made even more clear by claim 2, which recites that "the camera asset organization structure is a file system."

Kain does not cure the shortcomings of Parulski. Kain teaches a method and system for extending file system metadata. (Title). More specifically, Kain teaches APIs that interface between the client software and the file manager by translating requests from the clients into normalized request messages understandable by the file manager. (Kain, col. 8, lines 49-52). The dispatcher receives normalized request messages from the APIs and uses the mapping information contained in the dispatcher control store to determine which format agent is able to satisfy the request. (Kain, col. 8, lines 60-64). It then forwards the request messages to the appropriate format agent. (Kain, col. 8, lines 64-65).

The appropriate format agent receives the messages from the dispatcher and processes the requests, thereby interfacing between the operating system, in particular the file manager, and the storage media being accessed. (Kain, col. 9, lines 8-11). When the request is completed, the format agents reply to the dispatcher with information to be returned to the original caller. (Kain, col. 9, lines 11-14). Once all the format agents involved with fulfilling the request have replied to the dispatcher, the dispatcher returns the fulfilled request to the API that was used to initiate the request, sending any information that needs to be returned to the client. (Kain, col. 9, lines 14-18). The API translates that information into a form that is appropriate to the interface, and returns it to the client. (Kain, col. 9, lines 18-20).

Appellant finds no teaching that relates to the claimed automatically identifying a selected restructuring scheme from a plurality of schemes. Thus, neither Parulski nor Kain describe manipulating the camera asset organization structure (e.g., file system) for a set of images and combining these references still fail to support the rejection. A prima facie obviousness rejection has not been established.

Thus, claim 1 is not obvious and the rejection is improper. Additionally in view of the above arguments, dependent claim 2 is not taught or suggested by the references since the limitation of "the camera asset organization structure is a file system" is not disclosed by the references. Accordingly, dependent claims 2-11 are similarly not obvious. The rejection is improper and should be reversed. All claims should now be allowed.

II. Whether Claims 12-14, 15-33, 36-39 and 40-47 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kain, III et al. (US 6,119,118) in view of Hossain et al. (US Pub. 2003/0059199 A1).

### Independent Claims 12 and 36

For purposes of this appeal, claim 36 stands with claim 12. Claim 12 is directed to an asset normalizing method for processing a collection of digital image assets of a digital carnera where the collection of digital image assets are organized according to an asset organization scheme generated by the digital carnera. Claim 12 recites automatically matching the asset organization scheme of the digital carnera to a selected asset normalizer of a predetermined set of asset normalizers; and, processing the collection of digital image assets of the digital carnera into a selected standard organization structure in accordance with the selected asset normalize.

### The Office Action provides:

Kain discloses an asset normalizing method for processing a collection of files, comprising the steps of:

- automatically matching an asset organization scheme of files to a selected asset normalize of a predetermined set of asset normalizers (col. 1, line 62 to col. 2, 5; col. 3, lines 60-64; and col. 17, lines 51-64, Kain); and
- processing the collection of assets into a standard structure in accordance with the best available asset normalizer (col. 8, lines 44-53 and col. 19, lines 36-55, Kain). (Office Action, pages 5-6).

Appellant respectfully submits that Kain teaches a method and system for extending file system metadata. (Title). More specifically, Kain teaches APIs that interface between the client software and the file manager by translating requests from the clients into normalized request messages understandable by the file manager. (Kain, col. 8, lines 49-52). The dispatcher receives normalized request messages from the APIs and uses the mapping information contained in the dispatcher control store to determine which format agent is able to satisfy the request. (Kain, col. 8, lines 60-64). It then forwards the request messages to the appropriate format agent. (Kain, col. 8, lines 64-65).

The appropriate format agent receives the messages from the dispatcher and processes the requests, thereby interfacing between the operating system, in particular the file manager, and the storage media being accessed. (Kain, col. 9, lines 8-11). When the request is completed, the format agents reply to the dispatcher with information to be returned to the original caller. (Kain, col. 9, lines 11-14). Once all the format agents involved with fulfilling the request have replied to the dispatcher, the dispatcher returns the fulfilled request to the API that was used to initiate the request, sending any information that needs to be returned to the client. (Kain, col. 9, lines 14-18). The API translates that information into a form that is appropriate to the interface, and returns it to the client. (Kain, col. 9, lines 18-20).

Appellant finds no teaching that relates to the claimed processing the collection of assets into a standard structure in accordance with the selected asset normalizer. Thus Kain fails to support the rejection. Hossain does not cure the deficiencies of Kain. Hossain is relied upon for disclosing "system and method for creating and viewing digital images." (Office Action at page 6). Hossain does not teach, suggest or make obvious the claimed processing the collection of assets into a standard structure in accordance with the selected asset normalizer. A prima facie obviousness rejection has not been established.

Thus, the rejections of independent claims 12 and 36 are improper and should be reversed. Accordingly, a prima facie obviousness rejection has also not been established for dependent claims 13-21 and 37-48. The rejection of these claims is also improper and should be reversed. All claims should now be allowed.

### Independent claim 22

Claim 22 is directed to a digital camera system for processing a camera-specific file system organization scheme of digital image assets into a non-camera specific file system organization format. Claim 22 recites a comparison component for automatically matching the camera-specific file system organization scheme of the digital camera to a selected asset organization normalizer of a predetermined set of asset organization normalizers; and an asset-processing component, coupled to the comparison component, for organizing the digital image assets of the digital camera into a non-camera specific file system organization format in accordance with the selected asset normalizer to allow the digital image assets to be processed by a variety of devices.

### The Office Action provides:

Kain discloses a file system for processing a camera-specific organization scheme of digital image assets into a non-camera specific organization format, comprising:

A comparison component for automatically matching the specific organization scheme of file to a selected asset organization normalizer of a predetermined set of asset organization normalizers (col. 1, line 62 to col. 2, 5; col. 3, lines 60-64; and col. 17, lines 51-64, Kain); and

An asset-processing component, coupled to the comparison component, for organizing the file assets of the digital camera into a non-camera specific organization format in accordance with the selected asset normalizer to allow the file assets to be processed by a variety of devices (col. 8, lines 44-53 and col. 19, lines 36-55, Kain). (Office Action, pages 6-7).

As discussed in greater detail above, Kain teaches a method and system for extending file system metadata. (Title). More specifically, Kain teaches APIs that interface between the client software and the file manager by translating requests from the clients into normalized request messages understandable by the file manager. (Kain, col. 8, lines 49-52).

Appellant finds no teaching that relates to the claimed asset-matching component for organizing the file assets of the digital camera into a non-camera specific organization format in accordance with the selected asset normalizer to allow the file assets to be processed by a variety of devices. Thus Kain fails to support the rejection. Hossain does not cure the deficiencies of Kain. Hossain is relied upon for disclosing "system and method for creating and viewing digital images." (Office Action at page 7). Hossain does not teach, suggest or make obvious the claimed asset-matching component for organizing the file assets of the digital camera into a non-camera specific organization format in accordance with the selected asset normalizer to allow the file assets to be processed by a variety of devices. As such, a prima facie obviousness rejection has not been established.

Thus, the rejection of claim 22 is improper and should be reversed. Accordingly, the rejections of dependent claims 23-35 are also improper and should be reversed. All claims are in condition for allowance.

III. Whether Claims 34-35 and 48-49 are unpatentable under 35 U.S.C. §103(a) as being obvious over Kain, III et al. in view of Hossain et al. and further in view of Calia (US 5,450,504).

The independent claims from which these claims depend have been shown to patentably distinguish over the references of record. A prima facie obviousness rejection has not been established for any independent claim and the rejections are improper. It then follows that the rejections of the dependent claims are also not supported by the references and the rejections are improper. Thus, the rejections of these claims cannot stand and should be reversed.

### Conclusion

For the reasons set forth above, a prima facic obviousness rejection has not been established for any claim. All rejections have been shown to be improper. Appellant respectfully believes that all pending claims 1-49 patentably and unobviously distinguish over the references of record and that the rejections should be reversed. Appellant respectfully requests that the Board of Appeals overturn the Examiner's rejections and allow all pending claims. An early allowance of all claims is earnestly solicited.

OCT. 12, 2007

Date

Respectfully submitted,

Peter Kraguljac (Reg. No. 38,520)

(216) 348-5843

McDonald Hopkins LLC 600 Superior Avenue, E. Cleveland, OH 44114

### 8. Claims Appendix

l. A method for automatically processing digital image assets of a digital camera, comprising the steps of:

receiving a set of assets and metadata from a digital camera that have been organized by the digital camera into a camera asset organization structure;

automatically identifying a selected restructuring scheme from a plurality of restructuring schemes to use for processing the camera asset organization structure of the set of assets and metadata; and

processing the set of assets and metadata using the selected restructuring scheme to convert the camera asset organization structure into a selected organization structure.

2. The method of claim 1 wherein automatically identifying the selected restructuring scheme comprises comparing the set of assets and metadata with a predetermined set of characterizations of assets and metadata to determine whether a match is present, and

where the camera asset organization structure is a file system and the digital image assets comprise one or more files.

3. The method of claim 2 wherein automatically identifying the selected restructuring scheme includes, where no match is found, indicating to the user that no match was found.

- 4. The method of claim 2 wherein automatically identifying the selected restructuring scheme includes, where no match is found, applying a fallback scheme.
- 5. The method of claim 2 wherein processing the set of assets and metadata into the selected organization structure comprises applying asset normalization.
- 6. The method of claim 5 wherein applying the asset normalization includes at least one of: making explicit an identity and purpose of files, making explicit relationships between files, extracting data and metadata of files, and attaching associated asset handlers to specific asset types.
- 7. The method of claim 5 wherein applying the asset normalization provides a file output that contains references to files and metadata determined to be relevant to a set of inputs.
- 8. The method of claim 7 wherein the file output includes files discovered by interrogating a file system to discover additional relevant files based on an asset normalizer's knowledge and heuristics.
- 9. The method of claim 1 wherein processing includes processing the selected organization structure into a user-friendly structure that is one of: an audio-video presentation, still images, still images plus audio clips, video clips, and audio clips.

- 10. The method of claim 9 wherein processing includes processing the selected organization structure to provide for at least one of: viewing and hearing the user-friendly structure in an exogenous device.
- 11. The method of claim 1 wherein automatically identifying a selected restructuring scheme to use for processing a set of assets and metadata includes using a framework having a set of available asset normalizers to identify an available asset normalizer.
- 12. An asset normalizing method for processing a collection of digital image assets of a digital camera where the collection of digital image assets are organized according to an asset organization scheme generated by the digital camera, comprising the steps of:

automatically matching the asset organization scheme of the digital camera to a selected asset normalizer of a predetermined set of asset normalizers; and

processing the collection of digital image assets of the digital camera into a selected standard organization structure in accordance with the selected asset normalizer.

13. The method of claim 12 wherein automatically matching an asset organization scheme includes comparing the set of digital image assets and metadata with a predetermined set of characterizations of assets and metadata to determine whether a match is present.

- 14. The method of claim 12 wherein automatically matching an asset organization scheme includes, where no match is found, indicating to the user that no match was found.
- 15. The method of claim 12 wherein automatically matching an asset organization scheme includes, where no match is found, applying a fallback asset normalizer.
- 16. The method of claim 12 wherein processing the collection of digital image assets of the digital camera comprises asset normalization that normalizes the asset organization scheme of the digital camera into the selected standard organization structure.
- 17. The method of claim 16 wherein asset normalization includes at least one of: making explicit an identity and purpose of files, making explicit relationships between files, extracting data and metadata of files, and attaching associated asset handlers to specific asset types.
- 18. The method of claim 16 wherein asset normalization provides a file output that contains references to files and metadata determined to be relevant to a set of inputs.
- 19. The method of claim 18 wherein the file output includes files discovered by interrogating a file system to discover additional relevant files based on an asset normalizer's knowledge and heuristics.

- 20. The method of claim 12 wherein processing includes processing the standard organization structure into a user-friendly structure that is at least one of: an audio-video presentation, still images, still images plus audio clips, video clips, and audio clips.
- 21. The method of claim 12 wherein processing includes providing for at least one of: viewing and hearing assets selected by the selected asset normalizer in an exogenous device.
- 22. A digital camera system for processing a camera-specific file system organization scheme of digital image assets into a non-camera specific file system organization format, comprising:

a comparison component for automatically matching the camera-specific file system organization scheme of the digital camera to a selected asset organization normalizer of a predetermined set of asset organization normalizers; and

an asset-processing component, coupled to the comparison component, for organizing the digital image assets of the digital camera into a non-camera specific file system organization format in accordance with the selected asset normalizer to allow the digital image assets to be processed by a variety of devices.

23. The digital camera system of claim 22 wherein the comparison component includes comparing the set of digital image assets and metadata with a predetermined set of characterizations of assets and metadata to determine whether a match is present.

24. The digital camera system of claim 22 wherein the comparison component

includes information that includes at least one of: a directory pattern, a file name pattern, and

an image metadata pattern.

25. The digital camera system of claim 22 wherein a directory pattern is

assembled by an ordered transversal to a depth of at least one directory beneath a

predetermined location and concatenating directory names with or without separator

characters or symbols.

26. The digital camera system of claim 22 wherein, when the comparison

component fails to find a matching asset organization normalizer, the comparison component

indicates to the user that no match was found.

27. The digital camera system of claim 22 whercin, when the comparison

component fails to find a matching asset organization normalizer, the asset-processing

component utilizes a fallback asset normalizer.

28. The digital camera system of claim 22 wherein the asset-processing

component implements asset normalization.

29. The digital camera system of claim 28 wherein asset normalization includes at

least one of: making explicit an identity and purpose of files, making explicit relationships

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between files, extracting data and metadata of files, and attaching associated asset handles to specific asset types.

- 30. The digital camera system of claim 28 wherein asset normalization provides a file output that contains references to files and metadata determined to be relevant to a set of inputs.
- 31. The digital camera system of claim 30 wherein the file output includes files discovered by interrogating a file system to discover additional relevant files based on an asset normalizer's knowledge and heuristics.
- 32. The digital camera system of claim 22 where processing includes processing the non-camera specific organization format into a user-friendly structure that is at least one of: an audio-video presentation, still images, still images plus audio clips, video clips, and audio clips.
- 33. The digital camera system of claim 22 wherein processing includes processing the non-camera specific organization format and providing for at least one of: viewing and hearing assets selected by the asset normalizer in an exogenous device.
- 34. The digital carnera system of claim 22 wherein the comparison component assigns each comparison a score that represents a quality of a match between the carnera-

specific organization scheme and each of the predetermined set of asset organization normalizers.

- 35. The digital camera system of claim 34 wherein a highest score is the score that represents the quality of an optimal match.
- 36. A computer-readable medium containing instructions for processing a collection of digital image assets from a digital camera that are organized in a first organization format based on an asset organization scheme into a second organization format by:

automatically matching the asset organization scheme of the digital camera to a selected asset organization normalizer of a predetermined set of asset organization normalizers that is capable of processing the asset organization scheme; and

processing the collection of assets of the digital camera into the second organization format in accordance with the selected asset organization normalizer.

37. The computer-readable medium of claim 36 wherein automatically matching the asset organization scheme of the digital camera to the selected asset organization normalizer of a predetermined set of asset organization normalizers includes comparing the set of assets and metadata with a predetermined set of characterizations of assets and metadata to determine whether a match is present.

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- 38. The computer-readable medium of claim 36 wherein automatically matching an asset organization scheme of the digital camera to the selected asset organization normalizer of a predetermined set of asset normalizers includes using information that includes at least one of: a directory pattern, a file name pattern, and an image metadata pattern.
- 39. The computer-readable medium of claim 38 wherein a directory pattern is assembled by an ordered transversal to a depth of at least one directory beneath a predetermined location and concatenating directory names with or without separator characters or symbols.
- 40. The computer-readable medium of claim 36 wherein, when a matching asset organization scheme fails to be found, the step of automatically matching the asset organization scheme includes indicating that no match was found.
- 41. The computer-readable medium of claim 36 wherein when a matching asset organization scheme fails to be found, the step of automatically matching the asset organization scheme includes, where no match is found, applying a fallback asset organization normalizer.
- 42. The computer-readable medium of claim 36 wherein processing the collection of assets includes implementing asset normalization.

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43. The computer-readable medium of claim 42 wherein asset normalization includes at least one of: making explicit an identity and purpose of files, making explicit relationships between files, extracting data and metadata of files, and attaching associated asset handlers to specific asset types.

44. The computer-readable medium of claim 42 wherein asset normalization provides a file output that contains references to files and metadata determined to be relevant to a set of inputs.

- 45. The computer-readable medium of claim 44 wherein the file output includes references to files discovered by interrogating a file system to discover additional relevant files based on an asset normalizer's knowledge and heuristics.
- 46. The computer-readable medium of claim 36 wherein processing the collection of assets of the digital camera into the second organization format in accordance with the selected asset organization normalizer includes processing the second organization format into a user-friendly structure that is at least one of: an audio-video presentation, still images, still images plus audio clips, video clips, and audio clips.
- 47. The computer-readable medium of claim 36 wherein processing includes providing instructions for at least one of: viewing and hearing assets selected by the selected asset organization normalizer in an exogenous device.

- 48. The computer-readable medium of claim 36 wherein automatically matching the asset organization scheme of the digital camera to the selected asset organization normalizer of a predetermined set of asset organization normalizers includes assigning each comparison a score that represents a quality of a match.
- 49. The computer-readable medium of claim 48 wherein a highest score is a score that represents the quality of a best match.

### 9. Evidence Appendix

None. There is no extrinsic evidence.

### 10. Related Proceedings Appendix

None. There are no related proceedings.